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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,221	02/15/2002	Erich Horn	SWR-0077	3123

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CANTOR COLBURN LLP
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EXAMINER

YAM, STEPHEN K

ART UNIT PAPER NUMBER

2878

DATE MAILED: 02/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/077,221

Applicant(s)

HORN ET AL.

Examiner

Stephen Yam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 5, 7-11, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Hyde, Jr. US Patent No. 6,038,553.

Regarding Claim 1, Hyde, Jr. teaches (see Fig. 7a and 7b) a method for a test of acceptability in an automatic vending machine, comprising feeding (115) a bank note to a digitalization station (53) (see Fig. 3) via a transport unit (within (53)), digitalizing (121) the bank note and comparing (129) (see Col. 8, lines 33-36) the generated digital data with stored data in a computer unit to determine value, rendering an automatic decision regarding acceptability (see Col. 8, lines 36-39), and if the decision is negative, generating (215) (see Fig. 10) an image of the digital data for visual inspection by a service employee to render a final decision on acceptability (see Col. 5, lines 33-39 and Col. 10, lines 25-32).

Regarding Claim 7, Hyde, Jr. teaches (see Fig. 3) a device for a test of acceptability for an automatic vending machine comprising at least one unit (53) for receiving a bank note, a transport/feed unit (within (53)), a digitalization unit (49, 53), a computer unit (27) (see Fig. 1 and Col. 5, lines 30-32), an image display unit (27) (see Col. 5, lines 30-39), an input unit (27) (inherently, a personal computer contains a keyboard) (see Col. 5, lines 30-32), and a unit (53, 55) for returning (see Col. 8, lines 15-17), advancing (see Col. 8, lines 21-26), collecting (see

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Col. 8, lines 63-64), and stacking (collecting multiple bank notes within the ATM machine) the bank notes.

Regarding Claim 2, Hyde, Jr. teaches digitizing of the bank note by scanning (see Col. 8, lines 18-21).

Regarding Claim 3, Hyde, Jr. teaches performing an image data comparison in the form of data comparison (inherent within an optical-character-recognition (OCR) process in which a scanned pattern is digitally compared to a digital representation of an alphanumeric character) (see Col. 8, lines 33-36).

Regarding Claim 5, Hyde, Jr. teaches the service employee on a personal computer (see Col. 5, lines 30-32) registering the final decision regarding acceptance (see Col. 5, lines 38-39)- inherently, a personal computer contains a keyboard in which to receive input from a user, and the service employee uses the personal computer's keyboard to convey the decision of acceptance.

Regarding Claim 8, Hyde, Jr. teaches the digitalization unit as a scanner (53) (see Col. 8, lines 18-21).

Regarding Claim 9, Hyde, Jr. teaches the digitalization unit as a digital camera (49) (inherently, the camera is digital, as its image is transmitted and displayed on the personal computer (see Col. 3, lines 27-30)).

Regarding Claim 10, Hyde, Jr. teaches the image display unit as a monitor (on the personal computer (27).

Regarding Claim 11, Hyde, Jr. teaches the service employee on a personal computer (see Col. 5, lines 30-32) registering the final decision regarding acceptance (see Col. 5, lines 38-39)-

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inherently, a personal computer contains a keyboard in which to receive input from a user, and the service employee uses the personal computer's keyboard to convey the decision of acceptance.

Regarding Claim 13, Hyde, Jr. teaches (see Fig. 3) supplementary signal units for optical (45) indicators.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 6, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hyde, Jr.

Regarding Claim 4, Hyde, Jr. teaches the method as taught in Claim 1, according to the appropriate paragraph above. Hyde, Jr. does not teach performing a detailed inspection of adjustable parameters to automatically render a preliminary decision between a direct rejection and an employee decision. It is well known in the art to adjust the brightness and contrast in a scanned image to improve the detectability of image patterns. It would have been obvious to one of ordinary skill in the art at the time the invention was made to inspect the brightness and contrast parameters of the scanned image to render another decision before an employee decision in the method of Hyde, Jr., to optimize the scanning process and prevent unnecessary use of human intervention in a mostly-automated process.

Regarding Claim 6, Hyde, Jr. teaches the method as taught in Claim 1, according to the appropriate paragraph above. Hyde, Jr. also teaches the visual inspection by a service employee when the OCR scanned check amount does not match the customer-entered amount (see Col. 10, lines 23-33). Hyde, Jr. does not teach automatically marking the area of deviation prompting the negative automatic decision. It is well known in the art that OCR programs isolate specific characters within a document which encounter recognition problems and ask a user to manually identify the character. It would have been obvious to one of ordinary skill in the art at the time the invention was made to mark the area of deviation on the scanned image prompting the negative automatic decision, to simplify the verification process for the service employee by concentrating on the specific character(s) which encounter the recognition difficulties so the service employee can easily check if the scanned character matches the numeric digit entered by the customer.

Regarding Claim 12, Hyde, Jr. teaches the device as taught in Claim 7, according to the appropriate paragraph above. Hyde, Jr. also teaches (see Fig. 3) supplementary signal units for optical (45) indicators. Hyde, Jr. does not teach supplementary signal units for acoustic indicators. It is well known to use acoustic indicators in automated teller machines, to provide service for visually-impaired or illiterate customers. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use acoustic indicators in the device of Hyde, Jr., to provide full usage of the device for customers with special requirements.

Conclusion

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5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Woods et al., US Patent No. 4,813,077, teach the automated scanning of bank notes and a visual inspection of the scanned images by a service employee when the dollar amount is not successfully recognized.

Elischer et al., US Patent No. 5,040,226, teach a system for automatically scanning checks and using a service employee for visual inspection of the scanned images when the total deposit is mismatched.

Granzow et al., US Patent No. 4,580,040, teach a system for detecting the information from a check and conveying it to a teller, who provides a decision on acceptability.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Yam whose telephone number is (703)306-3441. The examiner can normally be reached on Monday-Friday 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Porta can be reached on (703)308-4852. The fax phone numbers for the organization where this application or proceeding is assigned are (703)308-7724 for regular communications and (703)308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.

SK

SY

February 20, 2003


DAVID PORTA
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